

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 4TH DAY OF JUNE 1998.

BEFORE

THE HON'BLE MR.JUSTICE CHANDRASHEKHARIAH

WRIT PETITION NO~~S~~ 28853-54 OF 1995.

BETWEEN:

1. Smt.Usha,
aged about 30 years,
Asha Sweets & Chats,
Shop No.1 in premises No.400,
Ooliga Complex, Sampige
Road, Malleswaram,
Bangalore-560 003.

2. B.Hemachandra,
aged 19 years, 'Blue Fashions'
Shop No.7, 396, Ooliga Complex,
Sampige Road, Malleswaram,
Bangalore-560 003.

. . Petitioners

(By Sri M/s. Sundarawamy for Petitioners)

AND

1. Bangalore Mahanagara Paalike,
a body constituted under the
provisions of Karnataka
Municipal Corporation Act,
having its Office at Hudson
Circle, J.C.Road,
Bangalore-560 002.

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2. The Asst. Executive Engineer,
Malleswaram Sub-Division,
Bangalore Mahanagara Palike,
Malleswaram,
Bangalore-560 003.

. . . Respondents

(By Sri Ashok, Haranahalli, for Respondents)

* * *

Writ petition~~s~~ filed under Articles 226 and 227 of the Constitution of India with an affidavit praying to restrain respondents from interfering with peaceful possession and enjoyment of the business of the petitioner and from demolishing the same. grant interim order, restraining the respondents from interfering with the peaceful possession and running of business belonging of the petitioner or from demolishing the same and etc.,

This writ petition~~s~~ is coming on ~~for~~ final disposal orders this day, the Court made the following

O R D E R

The petitioners apprehending demolition of their buildings by the Corporation have filed these petitions.

Under the Scheme of the Act, there cannot be any demolition of the petitioners' buildings without passing an order as required under the Act. Therefore, there is no scope for the petitioners to apprehend any threat of demolition by the Corporation in the absence of any order passed under the Act.

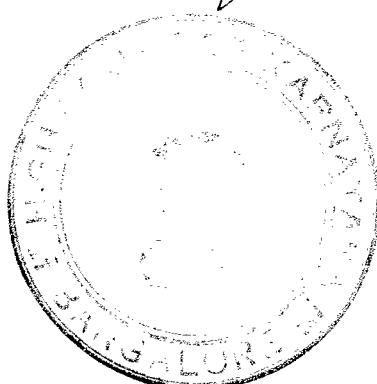
In the light of the above observation, writ petitions are disposed of.

Sd/- JUDGE.

Mc/-

r. by V.P.

c. by 26/8/98



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Assistant Registrar
High Court of Madras
Bench for Madras

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